

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
)	
Plaintiff,)	
)	
)	Case No. 11-20301-1-JTF/tmp
)	
)	
NOEL PAUL HAMMER, Jr.)	
)	
Defendant.)	

ORDER ADOPTING THE MAGISTRATE'S REPORT AND RECOMMENDATION
and DENYING DEFENDANT'S MOTION TO SUPPRESS

This cause is before the Court on Defendant's Motion to Suppress Evidence [DE #28] filed on February 28, 2012. The motion was referred by Judge Samuel H. Mays, Jr. to the Magistrate Judge for a report and recommendation [DE #29] on February 29, 2012. An Amended and Supplemented Motion to Suppress was filed on March 19, 2012. [DE #39] An additional *pro se* motion to suppress was filed by the defendant on September 5, 2012. [DE #89] Per the Court's Administrative Order Number 2012-16, this matter was reassigned from Judge Mays to this Court on August 16, 2012.

The Magistrate Judge conducted a hearing on all relative Motions to Suppress on September 26, 2012, where the Court heard

testimony from witnesses for government. The defendants presented exhibits, photographs, affidavits, a CD, and other documentary evidence during the hearing but declined to offer any testimony from witnesses. [DE #97, Exhibit and Witness List]

On October 24, 2012, the Magistrate Judge issued a Report and Recommendation, recommending that defendant's Motion to Suppress be denied. [DE 104]. The defendant filed objections to the Magistrate's Report and Recommendation on November 11, 2012. [DE #107]

The Court has conducted a de novo review of the record, including the Motion to Suppress, the Amended Motion to Suppress, the Government's response, the Magistrate's Report and Recommendation, and the defendant's objections. The Court herein ADOPTS the Report and Recommendation of the Magistrate Judge and the defendant's Motion to Suppress, Amended Motion to Suppress, and Combined *pro se* Supplemental Motion to Suppress are all DENIED.

It is SO ORDERED on this 30th day of November, 2012.

s/John T. Fowlkes, Jr.

JOHN T. FOWLKES, JR.

UNITED STATES DISTRICT JUDGE